

CL

2012V01036/dc  
PAUL J. FISHMAN  
United States Attorney  
By: LAKSHMI SRINIVASAN HERMAN  
Assistant United States Attorney  
970 Broad Street, Suite 700  
Newark, New Jersey 07102  
Tel: 973.645.3985  
Fax: 973.645.3316  
lakshmi.herman@usdoj.gov

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

-against-

\$180,040.00 IN UNITED STATES  
CURRENCY,

Defendant *in rem*.

: Hon. Stanley R. Chesler  
:  
: Civil Action No. 12-4546 (SRC)  
:  
: DEFAULT JUDGMENT AND  
: FINAL ORDER OF  
: FORFEITURE

**WHEREAS**, July 18, 2012, a Verified Complaint for Forfeiture was filed in the United States District Court for the District of New Jersey against \$180,040.00 in United States currency (the "Defendant Currency") to enforce the provisions of 21 U.S.C. § 881(a)(6), which subjects to forfeiture to the United States all monies and other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed

chemical and all proceeds traceable to such an exchange, and all monies used or intended to be used to facilitate any violation of Title II of the Controlled Substance Act, 21 U.S.C. § 801 *et seq.*; and

**WHEREAS**, pursuant to the Warrant for Arrest In Rem issued by the Clerk of the Court on July 25, 2012, the Drug Enforcement Administration seized the Defendant Currency; and

**WHEREAS**, on or about September 17, 2012, a Clerk's Entry of Default was entered against Johnny Rodriguez since no conforming Claim was filed within the time required for the Defendant Currency by Johnny Rodriguez (See ECF Doc. 6.); and

**WHEREAS**, the Notice of Civil Forfeiture was posted on an official government Internet website (<http://forfeiture.gov>) for at least 30 consecutive days, beginning on August 4, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (See Declaration of Lakshmi Srinivasan Herman with Exhibits, Exhibit A, hereinafter "Herman Decl."); and

**WHEREAS**, in order to avoid forfeiture of the Defendant Currency, any other person claiming an interest in, or right against, the Defendant Currency must file a Claim under penalty of perjury identifying the specific property claimed, identifying the claimant and stating the claimant's interest in the property in the manner set forth in Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Federal Rules of Civil

---

Procedure and 18 U.S.C. § 983(a)(4)(A), except that in no event may such Claim be filed later than 60 days after the first day of publication on the above-referenced official government Internet website. In addition, any person

having filed such a Claim must also file an answer to the complaint not later than 20 days after the filing of the Claim; and


**WHEREAS**, no Claim has been filed by any other person within the time permitted by Rule G(5) of the Supplemental Rules for Certain Admiralty or Maritime and Asset Forfeiture Claims or Federal Rules of Civil Procedure for the Defendant Currency in this matter; that is, no Claim was filed by October 3, 2012.

**NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND DECREED**

1. **THAT** a Default Judgment and Final Order of Forfeiture is granted against the Defendant Currency, and no right, title or interest in the Defendant Currency shall exist in any other party; and
2. **THAT** any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, after the payment of costs and expenses incurred in connection with the disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

---

ORDERED this 13 day of Nov, 2012

  
HONORABLE STANLEY R. CHESLER  
United States District Judge